REMARKS

Reconsideration and withdrawal of the restriction requirement is requested in light of the following remarks. It is respectfully submitted that the arguments submitted in the Office Action do not support the restriction requirement, and as a result, the restriction requirement should be withdrawn.

In particular, the Office Action states that both Groups I and II of the claims include the common technical feature of the non-metallic optical sheet having layers which are fused along the peripheral edges but are not fused therebetween. The Office Action next indicates that this common technical feature is obvious based on the combined disclosure of Sperger et al. and Jonza et al. (U.S. 5,882,774). It is respectfully submitted that the Office Action has not accurately described the technical feature that is common to both Groups I and II, and the Office Action has inaccurately interpreted Sperger el al.

In Group 1 (Claims 31-42), Applicants broadly claim an optical sheet comprising a non-metallic multi-layer optical film having optical properties that are not provided by layers of elemental metal or metal compounds. The optical film has multiple layers and a peripheral edge, and the multiple layers are fused together along a substantial portion of only the peripheral edge of the optical film so as to at least substantially reduce delamination of the multiple layers along at least the substantial portion of the peripheral edge of the optical film, where the delamination is caused, at least in part, by stresses placed on the optical film during glazing lamination processing. The remaining portion of the multiple layers of the optical film, other than the substantial portion of the peripheral edge, is not fused so as to at least substantially reduce delamination of the multiple layers.

In Group II (Claims 43-50), Applicants broadly claim a method of making a glazing laminate for use in a window structure, where the glazing laminate comprising an optical sheet sandwiched between two bonding sheets and the bonding sheets are sandwiched between two glazing components. These method claims recite that the optical sheet comprises a non-metallic multi-layer optical film with multiple layers. These methods also recite fusing together the multiple layers of the optical film along a substantial portion of only the peripheral edge of the

optical film so as to at least substantially reduce delamination of the multiple layers along the substantial portion of the peripheral edge of the optical film, where the delamination is caused, at least in part, by stresses placed on the optical film during glazing lamination processing, wherein the remaining portion of the multiple layers, other than the substantial portion of the peripheral edge, is not fused so as to at least substantially reduce delamination of the multiple layers.

Thus, rather than the inaccurate description provided in the Office Action (i.e., "non-metallic optical sheet having layers which are fused along the peripheral edges but are not fused therebetween"), the actual technical feature that is common to both Groups I and II is:

> an optical sheet comprising a non-metallic multi-layer optical film with multiple layers. The multiple layers are fused together along a substantial portion of only the peripheral edge of the optical film so as to at least substantially reduce delamination of the multiple layers along the substantial portion of the peripheral edge of the optical film, where the delamination is caused, at least in part, by stresses placed on the optical film during glazing lamination processing. The remaining portion of the multiple layers of the optical film, other than the substantial portion of the peripheral edge, is not fused so as to at least substantially reduce delamination of the multiple layers.

In addition, regarding its interpretation of the teachings of Sperger et al., the Office Action states that Sperger et al. discloses:

> An optical laminate, for use in glazings, with layers which are fused only around the peripheral edge and would inherently prevent delamination (see Fig. 2). The optically functional core layers, 1 and 2, contain alternating high and low refractive index materials (C7, L5-C8, L15).

The Office Action goes on to note that Sperger et al. does not disclose optically functional layers that are non-metallic, but the Office Action states that it would have been obvious for the person of ordinary skill to have substituted the non-metallic optically functional multilayer film of Jonza et al with the metallic optically function multilayer film of Sperger et al. It is submitted that even if person of ordinary skill was motivated to combine these references, which is denied, the technical feature common to both Groups I and II of the present claims would not result.

Contrary to the assertions made in the Office Action, Sperger et al. does not provide any disclosure, teaching or suggestion to fuse only the peripheral edge of anything. Relating to this issue, Sperger et al. only discloses (column 7, line 61 to column 8, line 2) the following:

> In FIG. 2 there is schematically shown a cross-section through an inventive composite glass in a preferred form of realization. Between two glass layers 5a and 5b, which each, as was mentioned, may be formed by a complex sequence of different glasses, there is embedded between two foils 3, preferably PVB [sic] foils, a coating carrier foil 1, preferably made of PET (Polyethylen Terephtalate). On that foil there is provided the inventive coating 2, preferably starting with a layer of higher refractive material.

Please note that this passage erroneously recites that foils 3 are preferably PVT. As noted in column 2, lines 60-62, the use of a "polyvinylbutyral-PVB-foil" is the standard industry practice for assembling composite glass laminates. It is the industry standard to form such glazing laminates by heating the composite glass laminate under pressure (e.g., in an autoclave process) until all of the major surface on one side of each PVB foil 3 is bonded to the major surface of a corresponding glass plate and the major surface on the opposite side of the PVB foil 3 is bonded to all of the major surface of the metallic optically functional multilayer film formed by coating 2, with or without the coating carrier foil 1. The peripheral edges of the foil 3 that extend beyond the Sperger et al. multilayer film 2,1 are the only peripheral edges that fuse together. Even so, in the end, all of the major surface on either side of each foil 3 is fused or bonded to something.

Based on the above passage, the Sperger et al. coating 2, with or without the coating carrier foil 1, is the metallic optically functional multilayer film referred to in the Office Action. During the process of forming the Sperger et al. type coating 2, the various layers forming the coating 2 are typically bonded together across their entire surface area. Sperger et al. does not disclose fusing together only the peripheral edge of the layers forming the coating 2. Therefore, Sperger et al. provides no teaching or suggestion that would have motivated the person of ordinary skill to fuse together only the peripheral edge of the layers forming the non-metallic optically functional multilayer film of Jonza et al. Jonza et al. also fails to provide such a teaching or suggestion. Without this motivation, there is no basis to support the prima facie case of obviousness asserted in the Office Action.

Conclusion

As noted above, the Office Action has failed to establish a prima facie case that the technical feature common to both Group I (Claims 31-42) and Group II (Claims 43-50) is obvious. Without such a prima facie case, the underlying foundation for the restriction requirement

disappears. Accordingly, the restriction requirement should be withdrawn and both Groups I and II of the claims examined together.

Respectfully submitted,

7/25/08
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